

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND**

CHRISTOPHER LACCINOLE,

Plaintiff,

v.

NAVIENT SOLUTIONS, LLC, JOHN M.  
KANE, & DOES 1-10 INCLUSIVE

Defendants.

Civil Action No. 1:21-cv-00045

**JOINT MOTION TO VACATE MEMORANDUM AND ORDER [DOC. 31]  
AND STIPULATION OF DISMISSAL WITH PREJUDICE**

Plaintiff Christopher Laccinole (“Laccinole”), Defendant Navient Solutions, LLC (“NSL”), and Defendant John M. Kane (collectively, the “Parties”)—by mutual agreement in resolution of this action and as confirmed by the signatures of Laccinole and Defendants’ counsel herein—respectfully move the Court to vacate its March 4, 2022 Memorandum and Order [Doc. 31] on Defendants’ Joint Rule 12 Motion to Dismiss Plaintiff’s Second Amended Complaint [Doc. 19] *without prejudice*, and for entry of an order dismissing Plaintiff’s Second Amended Complaint *with prejudice* by joint stipulation pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii).

WHEREFORE Plaintiff Christopher Laccinole, Defendant Navient Solutions, LLC, and Defendant John M. Kane ask this Court to vacate its March 4, 2022 Memorandum and Order *without prejudice*, dismiss Plaintiff’s Second Amended Complaint *with prejudice*, tax all costs to the party incurring the same, and award all further relief to which the Parties may be justly entitled.

Dated: August 26, 2022

Submitted and Agreed,

/s/ Christopher Laccinole (by permission)

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**COUNSEL FOR DEFENDANT  
NAVIENT SOLUTIONS, LLC**

**CERTIFICATE OF SERVICE**

The undersigned counsel hereby certifies that this document has been filed electronically and is available for viewing and downloading from the ECF system. I further certify that this document will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be mailed to those indicated as non-registered participants on August 26, 2022. In addition, a copy of this document shall be sent to Pro Se Plaintiff Christopher Laccinole via e-mail and first-class mail at the following addresses:

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Pro Se Plaintiff

/s/ Joseph T. Galindo  
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